

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANTWAIN VONTELL MAYE,

Plaintiff,

VS.

**COMMISSIONER RICHARD
ALLEN, et al.,**

Defendants.

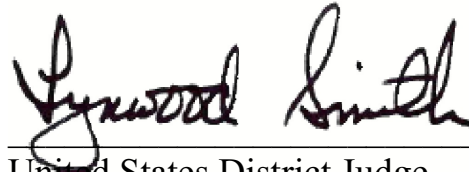
Civil Action No: CV 10-S-1822-S

ORDER

The magistrate judge filed a report and recommendation on November 18, 2010, recommending that plaintiff's claims against Commissioner Richard Allen and Warden Gary Hetzel be dismissed. It was further recommended that plaintiff's claim that Officers Charles Willis and Walter Hawkins assaulted him on January 15, 2010, be referred to the magistrate judge for further proceedings. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and his recommendation is ACCEPTED. Accordingly, it is ORDERED, ADJUDGED, and DECREED that all of plaintiff's claims in this action except the claims that Officers Charles Willis and Walter Hawkins assaulted him are DISMISSED pursuant to 28

U.S.C. § 1915A(b). It is further ORDERED that the plaintiff's claim that he was assaulted by Officers Willis and Hawkins on January 15, 2010, is REFERRED to the magistrate judge for further proceedings.

A handwritten signature in black ink, appearing to read "Lynwood Smith". The signature is written in a cursive, flowing style. The first name "Lynwood" is written with a large, prominent "L" and "y". The last name "Smith" is written with a large "S" and "M".

United States District Judge